

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

Case No.	SACV 11-0485 AG (AJWx)	Date	June 18, 2013
Title	LISA LIBERI, et al. v. ORLY TAITZ, et al.		

Present: The Honorable	ANDREW J. GUILFORD
Dwayne Roberts	Not Present
Deputy Clerk	Court Reporter / Recorder
Attorneys Present for Plaintiffs:	Attorneys Present for Defendants:

Proceedings: [IN CHAMBERS] ORDER RE PENDING MOTIONS AND REQUESTS

On June 17, 2013, the Court heard oral arguments on Defendant Orly Taitz's Motion to Strike Plaintiffs' First Amended Complaint under California's Anti-SLAPP statute ("Motion"). (Dkt. No. 618). The Court **DENIES** the Motion.

At the hearing, the Court also announced its rulings on several matters under submission that had been fully briefed and previously orally argued where appropriate. At the hearing, the Court also permitted additional oral argument where appropriate. These rulings are summarized here.

PENDING MOTIONS

1. Plaintiffs' Motion to Compel Sankey Defendants' Responses to Interrogatories (Dkt. No. 578) is **DENIED**.
2. Plaintiffs' Motion to Compel Sankey Defendants' Production of Documents (Dkt. No. 579) is **DENIED**.

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PENDING REQUESTS TO FILE MOTIONS

1. The request by Defendants Defend Our Freedoms Fund, Law Offices of Orly Taitz, and Orly Taitz, Inc., to file an Anti-SLAPP motion is **DENIED**.
2. Defendants Defend Our Freedoms Fund, Law Offices of Orly Taitz, and Orly Taitz, Inc. have also made a request to file a motion to dismiss under Rule 12(b)(1) and a motion for sanctions. The Court **GRANTS** this request as to the motion to dismiss. In light of the concerns stated by the Ninth Circuit, the motion to dismiss, the corresponding opposition, and the reply shall not exceed 15 pages each. Declarations, exhibits, and any other documents will count toward the page limit. All defendants may join this motion. The Court **DENIES** the request to file a motion for sanctions, but sanctions may be sought in the motion to dismiss.
3. Defendant Orly Taitz's request to file a motion to dismiss under Rule 12(b)(6) and strike under Rule 12(f) is **GRANTED**. Again, in light of the concerns stated by the Ninth Circuit, the motion, opposition, and reply in this matter shall not exceed 15 pages each. Declarations, exhibits, and any other documents will count toward the page limit. All defendants may join this motion.

The deadline for filing these motions is 30 days from the date of this Order. Further, a party seeking relief with either of these motions necessarily will be deemed to have waived any Anti-SLAPP right to an automatic stay pending appeal. The Court reminds the parties that the filing of frivolous motions may result in sanctions.

PENDING ORDER TO SHOW CAUSE RE SANCTIONS

The Court's January 23, 2013 Order to Show Cause why Defendant Orly Taitz should not be sanctioned is **DISCHARGED**.

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PENDING ISSUES REGARDING REPRESENTATION BY PHILIP BERG

Attorney Philip Berg must notify this Court of the outcome of pending disciplinary actions against him. Further, attorney Berg is ORDERED to properly document the appearance of any counsel in this case appearing on behalf of a party represented by attorney Berg.

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